

REMARKS

The present amendment is submitted in response to the Office Action issued on July 26, 2007. Claims 1-21 were originally pending. Claims 1-13 and 15-21 were rejected. Claim 14 was indicated as including allowable subject matter but was objected to for depending upon a rejected claim. Claims 2, 4-8, 10, 11, and 17-21 are hereby cancelled without prejudice. Claims 1, 3, 9 and 12-16 are hereby amended. Reexamination and reconsideration based on the arguments and amendments submitted herewith is respectfully requested.

Claim 1

Claim 1 is hereby amended to include all limitations of claim 2. Claim 2 was previously rejected as obvious in view of Shibata (U.S. Pat. No. 6,801,630), O'Farrill (U.S. Pat. No. 5,738,328) and Miyoshi (U.S. Pat. No. 5,762,168). Applicant respectfully submits that, as presently amended, claim 1 is patentable in view of these references.

As amended, claim 1 recites "a groove is provided on a under surface of said body, the groove extends from one end of said under surface to the other end through the center of said under surface" and "internal threads are provided on the under surface of a body on said groove, and said internal threads are adapted to be engaged with external threads provided at the upper end of a stand, thereby allowing said electro-acoustic apparatus to be fixed on the upper end of the stand and supported by the stand." In other words, claim 1 recites both a groove as well as internal threads positioned within the groove. See, for example, Figs 2 and 3 for exemplary positioning of the groove and the threads.

The combination within a portable electro acoustic apparatus of a groove and threads positioned within the groove has been discovered to be advantageous over the prior art. For example, because the threads are positioned within the groove, any mounting parts surrounding the threads (such as protruding metal rings, etc.) may protrude slightly from the lower surface within the groove and still not interfere when the apparatus is placed on a flat surface (such as a table). This is the case because the non-groove portions of the lower surface may rest securely against the table and

the groove need not contact the table at all. Thus, the electro-acoustic apparatus can be securely and stably placed on a flat surface without fearing any instability caused by the threads or any mounting parts associated with them.

Furthermore, when the apparatus is mounted on a stand, placing the threads within the groove ensures that the center of gravity of the apparatus is relatively low. This improves the stability of the apparatus on a stand. In general, improved stability has many benefits. For example, it allows a user to more precisely operate the apparatus.

Also, placing the internal threads within the groove serves to protect them from damage resulting from incidental contact with various other objects. In addition, because the groove extends from one end of the under surface to the other, a user may conveniently carry the device by placing his/her arm in the groove.

Applicant respectfully submits that the cited art does not teach or suggest an electro-acoustic apparatus comprising a groove and internal threads placed on the groove as recited by claim 1. Shibata discloses an electro-acoustic apparatus but does not disclose a groove or internal threads. O'Farrill does not disclose an electro-acoustic apparatus but a camera. O'Farrill discloses internal threads in the camera, but discloses no groove and subsequently fails to disclose that the internal threads are placed within a groove. Furthermore, the internal threads of O'Farrill are different from the ones recited in claim 1, as the internal threads of claim 1 are adapted to be engaged with a stand, while the internal threads of O'Farrill are adapted to be engaged with a strap. The ordinary meaning of the word "stand" requires a somewhat rigid structure, and the flexible straps of O'Farrill are clearly not a stand.

Miyoshi discloses a piece of luggage that includes a groove in its upper portion. This does not read on the groove of claim 1, because claim 1 clearly recites that the "groove is provided on a **under** surface of said body" (emphasis added). Furthermore, Miyoshi does not disclose placing threads within the groove.

Thus, all references previously cited against claims 1 and 2 (whose limitations are presently combined into amended claim 1) fail to disclose at least (i) a groove positioned on a lower surface of the body, and (ii) threads positioned within the groove.

The Examiner states that “the combined teaching of Shibata and O’Farrill and now Miyoshi as a whole, would have incorporate the further limitation wherein the internal threads are provided on said groove” (Examiner’s Action, Page 6). Applicant respectfully disagrees. Applicant respectfully submits that the Examiner has not shown and Applicant has not found any disclosure or combination of disclosures in any of these references which suggest where the threading may be positioned with respect to a groove. Therefore, Applicant respectfully submits that any conclusion that the combined references teach that the threading must be placed in the groove is not based on the actual references but on an impermissible hindsight analysis.

In fact, upon further analysis, the combined references teach placing the threading away from the groove. For example, the threading of O’Farrill is placed in the lower portion of its cameras and guns, while the groove of Miyoshi is placed at the upper portion of its suitcases. The obvious way of combining the teachings of these references would be to put the threading on the lower portion of an object, while placing the groove at its upper portion, which would obviously result in the threading being placed away from the groove. Furthermore, the groove of Miyoshi is used to accommodate a collapsible suitcase handle. If the threading of O’Farrill were placed within the groove Miyoshi, then the stabilizer strap of O’Farrill (which is intended to connect to the threading) would certainly interfere with the collapsible handle of Miyoshi. Thus, a person of skill in the art would avoid placing the threading of O’Farrill within the groove of Miyoshi in order to avoid such interference. And if a person of skill in the art removes the collapsible handle of Miyoshi than he/she would also likely remove the groove of Miyoshi as well, because the sole purpose of the groove of Miyoshi is to house the collapsible handle. Therefore, for the above discussed reasons, Miyoshi and O’Farrill actually teach against placing the threading within the groove.

For the above discussed reasons, it is respectfully submitted that claim 1 is patentable in view of Shibata, O’Farrill and Miyoshi.

Claims 3, 9 and 12-16

Claims 3, 9, and 12-16 are hereby amended to depend from claim 1. Therefore, claims 3, 9 and 12-16 are also patentable in view of Shibata, O'Farrill and Miyoshi. The other references cited by the Examiner against these claims were Stratton (U.S. Pub. No. 2003/0066410) and Mercs (U.S. Pub. No. 2002/0009205). However, Stratton and Mercs do not cure the deficiencies of Shibata, O'Farrill and Miyoshi with respect to claim 1. For example, neither Stratton nor Mercs disclose a groove or any threading, thus neither of these references discloses a groove and threading provided on the groove, as recited by claim 1.

Thus, it is respectfully submitted that claims 3, 9, 12-16 are patentable in view of the cited references.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicant requests that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5790 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Docket No. 393032040600.

Dated: January 28, 2008

Respectfully submitted,

By

Hristo Vachovsky

Registration No.: ~~55,694~~

MORRISON & FOERSTER LLP

555 West Fifth Street, Suite 3500

Los Angeles, California 90013

(213) 892-5200